

**CITY COUNCIL, CITY OF ROCKFORD
JOURNAL OF PROCEEDINGS
AUGUST 15, 2011
COUNCIL CONVENED AT 6:18 P.M.**

1. The invocation was given by Father Ron Montanye, St. Sebastian Orthodox Catholic Church/Rockford Police Chaplain and the Pledge of Allegiance was led by City Council Page Yesenia Centeno.
2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Beck, Robertson -12-

Absent: Elyea, McNeely -2-
3. Alderman Mark moved to accept the Journal of Proceedings of August 8, 2011, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Elyea, McNeely absent).

PUBLIC PARTICIPATION

4. Prophet Yusef spoke about the importance of public transportation to Rockford's economy.
5. Roland Poska communicated his message; Excellence from All with Respect for All.
6. Will Pederson, Chairman of the Winnebago County 9/11 Memorial, announced events schedule for the 10th Anniversary of 9/11 and invited the council and community to attend the ceremony and participate in the events.

PETITIONS AND COMMUNICATIONS

7. Alderman Thompson-Kelly submitted five (5) requests for service. Referred to Legal Department, Public Works Department and Community Development/Code Enforcement.
8. Alderman Thompson-Kelly announced the "Pencils in the Park" event was cancelled due to the weather and rescheduled for August 19th from 3:00 pm – 6:00 pm at Davis Park.
9. Alderman Johnson submitted two (2) requests for service. Referred to Public Works Department.
10. Alderman Johnson submitted an e-mail from Karin Riggle requesting trees on the city's right-of-way be trimmed. Referred to Public Works Department.
11. Alderman Johnson submitted an e-mail from Diane Wakeley requesting the fire hydrant in front of her home be painted. Referred to the Public Works Department.
12. Alderman Beach submitted the Rockford Traffic Commission Minutes from the meeting held on August 10, 2011. Referred to Code and Regulation Committee

13. Alderman Durkee submitted a Memorandum from Vicki Manson, Development Programs Manager, regarding a request from Swedish American Medical Foundation for an Amendment of Agreement. Referred to Planning and Development Committee.
14. Alderman Beck submitted a Memorandum from Patrick Zuroske, Capital Program Manager, regarding Development Agreement: Joseph Behr & Sons Development of Kishwaukee street Entrance. Referred to Finance and Personnel Committee.
15. Alderman Beck submitted a Memorandum from Tim Holdeman, Water Superintendent, regarding Larchmont Water Main Extension. Referred to Finance and Personnel Committee.
16. Alderman Hervey submitted seven (7) requests for service. Referred to Community Development/Code Enforcement and Public Works Department.

NEW COMMITTEE REPORTS

17. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Grounds Maintenance for Water Sites originally made to Green Tree Landscaping be rescinded and awarded to Gerkes Lawn Care, of Rockford, Illinois for their bid of \$1,230 each time the 41 sites are mowed. The funding source is Water Division Operating Budget. LAID OVER.
18. Alderman Beck read a Finance and Personnel Committee Report recommending the Engineering Agreement for N. Main & Auburn Roundabout – Utility Design be made to Com Ed for a total not to exceed cost of \$35,000.00 for utility design services. The funding for this project will come from Sales Tax funds. LAID OVER
19. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of August 15, 2011 in the amount of \$2,390,581.61. MOTION PREVAILED by a roll call vote of:

Ayes:	Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Beck, Robertson -12-
Nays:	-0-
Absent:	Elyea, McNeely -2-

OFFICERS REPORTS

20. Mayor Morrissey presented a Proclamation proclaiming the month of August 2011 to be "FATALLY UNIQUE DANCE TEAM MONTH" in Rockford, Illinois and congratulate the Fatally Unique Dance Team for being a finalist on the 6th Season of NBC's America's Got Talent. They are making a difference through entertainment in our community.

Mayor Morrissey encouraged the community to support their fundraising efforts and wished them the best of luck in the competition.

21. Mayor Morrissey advised a ward analysis of the ash tree concerns has been distributed to each alderman.
22. Mayor Morrissey announced this Saturday, August 20th will be the first budget hearing in council chambers at 9:00 am.
23. Alderman Thompson-Kelly announced the supporters of "Pencils in the park" and thanked them as well as the many volunteers for packing the book bags. She advised the event will take place August 19th from 3:00 pm – 6:00 pm at Davis Park. For more information call Life Center at 815/964-4966.
24. Alderman Jacobson expressed this concern that Fire Station 7 was without a working Quint and requested information on coverage and response times to that area.

Mayor Morrissey suggested Alderman Jacobson schedule a meeting with himself and Chief Bergsten, Fire Department, to discuss his concerns.
25. Alderman Jacobson thanked Aldermen Beach and Wasco along with Mike Dunn for their efforts to secure a sponsorship of the MetroCentre.

Mike Dunn advised BMO Harris Bank has entered into a long-term agreement for the naming rights of the Rockford MetroCentre and sponsorship of the Rockford IceHogs. The Rockford MetroCentre will now be called BMO Harris Bank Center.
26. Alderman Beach also has concerns regarding aged and inoperable equipment and suggested the city look into leasing vehicles.

Mayor Morrissey advised Alderman Beach the issue will be discussed at the budget hearing on Saturday and as many meetings as needed.
27. Alderman Wasco announced the meeting with ComEd representatives has been rescheduled for this Thursday at August 18th at 5:30 pm – 7:30 pm. He again suggested scheduling a group meeting with ComEd representatives, aldermen and city staff.
28. Alderman Curran again expressed his concerns with the alarming number of citations issued to drivers without vehicle insurance and requested the council revisit the resolution he presented to impound vehicle's without insurance.

Patrick Hayes, Legal Director, informed Alderman Curran his concerns and suggestions will be discussed at the Legislative Lobbying Committee meeting next Monday.

UNFINISHED BUSINESS

2011-270CR

29. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending that the 2011 Budget be amended and a supplemental appropriation ordinance be prepared by the Budget Officer in accordance with the attached schedule.

MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Beck, Robertson -12-
Nays: -0-
Absent: Elyea, McNeely -2-

2011-271CR

30. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending that the City Council approve the Agreement between the City and the Rockford Area Arts Council as attached. The Mayor and Legal Director are authorized to execute such an agreement. (Source of funds: Off-track Betting). MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Beck, Robertson -12-
Nays: -0-
Absent: Elyea, McNeely -2-

2011-272CR

31. Alderman Beck moved the adoption of a Finance and Personnel Committee Report authorizing the Mayor and Legal Director to execute the Terms of Engagement for Legal Services with Clark Baird Smith LLP with respect to the City's Labor Relations Matters. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Beck, Robertson -12-
Nays: -0-
Absent: Elyea, McNeely -2-

2011-095-O

32. Alderman Beach moved the adoption of an Ordinance approving the attached amendments to Chapter 27 of the City of Rockford Municipal Code; Regulation of trees and shrubs. MOTION PREVAILED by a roll call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,
Johnson, Timm, Beach, Beck, Robertson -12-
Nays: -0-
Absent: Elyea, McNeely -2-

MOTIONS AND RESOLUTIONS

2011-125R

33. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a special event permit for sales and service of liquor outdoors ("S" license) for the Ross-Pearson VFW Post 5149 Pig Roast/Corn Boil on September 10, 2011 at 922 7th Street. MOTION PREVAILED (Ald. Elyea, McNeely absent).

2011-126R

34. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a special event permit for sales and service of liquor outdoors ("S" license) for Westmor Lanes Pig Roast on September 3, 2011 at 2407 North Central Avenue. MOTION PREVAILED (Ald. Elyea, McNeely absent).

2011-127R

35. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution for a Special Event Permit for The Church of Jesus Christ of Latter Day Saints Emergency Preparedness Event on September 10, 2011 from 10:00 am to 4:00 pm at 324 North University Drive. MOTION PREVAILED (Ald. Elyea, McNeely absent).

2011-128R

36. Alderman Beach, on behalf of the Code and Regulation Committee Report, moved the adoption of a Resolution requesting permission from IDOT for temporary lane closures for the Winnebago County 9/11 Emergency Responders Memorial Run 2011 on September 11, 2011. MOTION PREVAILED (Ald. Elyea, McNeely absent).

2011-129R

37. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a Resolution authorizing the Central Services Manager to take bids for the following:

A. Bid: 2011 City-Wide Drainage Improvements, funding source: Sales Tax
MOTION PREVAILED (Ald. Elyea, McNeely absent).

NEW BUSINESS

38. Alderman Beach introduced and read an Ordinance for the sale of City owned property at vacant lot 5xx South Horace Avenue at a minimum bid of \$1,100 with preference to the adjacent adjoining property owner. LAID OVER.
39. Alderman Beach introduced and read an Ordinance for the annexation of property commonly known at 5xx Horace Avenue. LAID OVER.
40. Alderman Beach introduced and read an Ordinance for the annexation of property commonly known at 2090 New Milford School Road. LAID OVER.
41. Alderman Beach introduced and read an Ordinance for the annexation of property commonly known as 1206 North Johnston Avenue. LAID OVER.
42. Alderman Beach introduced and read an Ordinance for the annexation of property commonly known as 2407 Sandy Hollow Road. LAID OVER.
43. Alderman Beach introduced and read an Ordinance amending Article 64 of the Zoning Ordinance of the City of Rockford for a Variation to increase the maximum allowable fence height in the front yard from four (4) feet to eight (8) feet along 11th Street; and a Variation to increase the maximum allowable fence height in the front yard from four (4) feet to eight (8) feet along Kinsey Street; and a Variation to increase the maximum

allowable fence height in the side yard from six (6) feet to eight (8) feet in an R-1, Single-Family Residential District at 3004 11th Street. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Submittal of fence permit for Staff review and approval.
3. The fence must be developed in accordance with the submitted elevation Exhibit F.
4. The fence needs to be even with the adjacent building to the north and cannot encroach into that established front yard setback along 11th Street.
5. City Council approval of the alley vacation for the portion of the fence that is located in the alley.

Approval is based on the Findings of Fact. LAID OVER.

44. Alderman Beach introduced and read an Ordinance amending Article 64 and Article 63 of the Zoning Ordinance of the City of Rockford for a Modification of Special Use Permit #119-83 and #071-01 for construction of a new 36' X 52' metal service building; and a Variation to allow a six (6) foot setback with no additional landscaping in an R-2, Two-Family Residential District with the elimination of condition #2 at 1118 Ferguson Street. Approval is subject to the following conditions:

1. Must meet all applicable Building and Fire Codes.

Approval is based on the Findings of Fact. LAID OVER.

45. Alderman Beach introduced and read an Ordinance amending Article 64 of the Zoning Ordinance of the City of Rockford for a Variation to increase the maximum permitted number of wall signs from two (2) to three (3) in a C-2, Limited Commercial Zoning District at 249 Deane Drive.

Approval is based on the Findings of Fact. LAID OVER.

46. Alderman Beach introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

Charles Youngstrom of Aldi, Inc. d/b/a Aldi located at 2620 20th Street for the sale of packaged liquor in conjunction with a grocery store. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The hours of operation will be limited to 9:00 am to 8:00 pm Monday through Friday.
4. The hours of operation will be limited to 9:00 am to 7:00 pm Saturday.
5. The hours of operation will be limited to 11:00 am to 7:00 pm Sunday.

6. Submittal of an interior floor plan that indicates the interior sales display area for Staff review and approval.

LAID OVER.

47. Alderman Beach introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

Charles Youngstrom of Aldi, Inc. d/b/a Aldi located at 5350 East State Street for the sale of packaged liquor in conjunction with a grocery store. Approval is subject to the following conditions:

1. Meeting all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The hours of operation will be limited to 9:00 am to 8:00 pm Monday through Friday.
4. The hours of operation will be limited to 9:00 am to 7:00 pm Saturday.
5. The hours of operation will be limited to 11:00 am to 7:00 pm Sunday.
6. Submittal of an interior floor plan that indicates the interior sales display area for Staff review and approval.

LAID OVER.

2011-096-O

48. Alderman Beck introduced and read an Ordinance making supplemental appropriations for the City of Rockford, a municipal corporation, to finance those functions pertaining to its government and affairs including the General Fund, Equipment Fund, Water Fund, Seventh Street Tax Increment Financing District Fund, East River Tax Increment Financing District Fund, East Side Tax Increment Financing District Fund, West Side #1 Tax Increment Financing District Fund, Redevelopment Fund, and Tourism Fund for the Fiscal Year 2011.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Robertson. MOTION PREVAILED (Ald. Elyea, McNeely absent). The Ordinance was placed on Passage. MOTION PREVAILED by a roll call vote of:

Ayes:	Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Beck, Robertson -12-
Nays:	Elyea, McNeely -2-
Absent:	-0-

49. Upon motion duly made and seconded, the meeting was adjourned at 7:11 p.m.

Respectfully submitted,

Diane Reed
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS
City Council Chambers, 2ND floor City Hall
425 E. State Street, Rockford
August 22, 2011
6:00 P.M.
AGENDA

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing

I. PUBLIC HEARING

1. Review of City's Performance under DECO Disaster Recovery Grant #08-301001; Keith Creek/Churchill Park target area.

- Public Participation
- Petitions and Communications
- New Committee Reports (Reports of Standing Committees – Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)

II. NEW COMMITTEE REPORTS TO BE READ IN AUGUST 22, 2011

A. CODE AND REGULATIONS

1. Beach – Traffic – No Parking Anytime restriction on both sides of Fairview Avenue from Shirley Road to 110 feet North of Shirley Road and on Fairview Avenue from Shirley Road to 145 feet south of Shirley Avenue.
2. Beach – Traffic – Establishing a mid-block pedestrian crossing on Fulton Avenue 158 feet east of Cumberland Street.

UNFINISHED BUSINESS

III. COMMITTEE REPORTS LAID OVER AUGUST 15, 2011

1. Beck - Finance and Personnel - Recommending the award for Grounds Maintenance for Water Sites originally made to Green Tree Landscaping be rescinded and awarded to Gerkes Lawn Care, of Rockford, Illinois for their bid of \$1,230 each time the 41 sites are mowed. The funding source is Water Division Operating Budget.

2. Beck - Finance and Personnel - Recommending the Engineering Agreement for N. Main & Auburn Roundabout – Utility Design be made to Com Ed for a total not to exceed cost of \$35,000.00 for utility design services. The funding for this project will come from Sales Tax funds.

IV. ORDINANCES LAID OVER AUGUST 15, 2011

1. Beach – Ordinance - For the sale of City owned property at vacant lot 5xx South Horace Avenue at a minimum bid of \$1,100 with preference to the adjacent adjoining property owner.
2. Beach - Ordinance - Annexation of property commonly known at 5xx Horace Avenue.
3. Beach - Ordinance - Annexation of property commonly known at 2090 New Milford School Road.
4. Beach - Ordinance - Annexation of property commonly known as 1206 North Johnston Avenue.
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6. Beach - Ordinance - Amending Article 64 of the Zoning Ordinance of the City of Rockford for a Variation to increase the maximum allowable fence height in the front yard from four (4) feet to eight (8) feet along 11th Street; and a Variation to increase the maximum allowable fence height in the front yard from four (4) feet to eight (8) feet along Kinsey Street; and a Variation to increase the maximum allowable fence height in the side yard from six (6) feet to eight (8) feet in an R-1, Single-Family Residential District at 3004 11th Street. Approval is subject to the following conditions:
 1. Meeting all applicable Building and Fire Codes.
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 1. Must meet all applicable Building and Fire Codes.

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8. Beach - Ordinance - Amending Article 64 of the Zoning Ordinance of the City of Rockford for a Variation to increase the maximum permitted number of wall signs from two (2) to three (3) in a C-2, Limited Commercial Zoning District at 249 Deane Drive.

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9. Beach - Ordinance - Amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

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 6. Submittal of an interior floor plan that indicates the interior sales display area for Staff review and approval.
10. Beach - Ordinance - Amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendments shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

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 5. The hours of operation will be limited to 11:00 am to 7:00 pm Sunday.
 6. Submittal of an interior floor plan that indicates the interior sales display area for Staff review and approval.
- Motions and Resolutions

- V. NEW BUSINESS** (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).

- * same action taken before
- Adjournment

* * * * *

POSSIBLE ADDITIONAL ITEMS:

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

CODE AND REGULATION COMMITTEE

Monday, August 22, 2011, 5:15 p.m.

Conference Room A, City Hall 2nd floor (north room)

AGENDA

1. C & R 11-128 August Traffic Commission Minutes
2. C & R 11-129 Closed Session for Purposes of Pending or Threatening Litigation

FINANCE AND PERSONNEL COMMITTEE

Monday, August 22, 2011, 5:15 p.m.

Conference Room B, City Hall 2nd floor (south room)

AGENDA

1. Purchasing and Vouchers
 - A. Award of Bid: City-Wide Pavement Marking – Suspend rules
 - B. Award of Bid: Keith Creek Demolition, Phase II – Suspend rules
 - C. Award of Bid: Public Works Materials
 - D. Award of Bid: Waterworks Supplies & Materials
 - E. Vouchers
2. Larchmont Water Main Extension

PLANNING AND DEVELOPMENT COMMITTEE

Monday, August 22, 2011, 5:45 p.m.
CD Conference Room, City Hall 2nd floor
AGENDA

1. Business Relocation Process – Mark Rose.
2. Memorandum from Vicki Manson, Development Programs Manager, regarding a request from Swedish American Medical Foundation for an Amendment of Agreement.

LEGISLATIVE LOBBYING COMMITTEE

Monday, August 22, 2011, 4:00 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

1. General Legislative Review for 2011
2. Proposals for 2012 Agenda
3. New Business